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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SCOTT FRIEDMAN, an individual,)
Plaintiff,)
v.)
UNITED STATES OF AMERICA;)
GENE M. TIERNEY, individually and)
in his official capacity as an FBI Agent;)
MATTHEW A. ZITO, individually and)
in his official capacity as an FBI Agent;)
THAYNE A. LARSON, individually and)
in his official capacity as an FBI Agent;)
LAS VEGAS METROPOLITAN)
POLICE DEPARTMENT; JOE LEPORE,)
P#6260, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; DARREN HEINER,)
P#2609, individually and in his official)
capacity as an officer of the LAS VEGAS)
METROPOLITAN POLICE)
DEPARTMENT; JASON HAHN, P#3371,)
individually and in his official capacity)
as an officer of the LAS VEGAS)

Case No. 2:18-CV-000857-JCM-VCF

**STIPULATION AND ORDER TO
EXTEND THE DEADLINE FOR
PLAINTIFF TO RESPOND TO
THE FBI AGENT DEFENDANTS'
MOTION TO STAY DISCOVERY [ECF
NO. 58]**

(Second Request)

METROPOLITAN POLICE)
DEPARTMENT; Tali Arik, an individual;)
Julie Bolton, an individual; and Arik)
Ventures, an entity formed by Tali Arik,)
Defendants.)

IT IS HEREBY STIPULATED and AGREED by and between Defendants GENE M. TIERNEY, MATTHEW A. ZITO, and THAYNE A. LARSON (hereinafter referred to collectively as the “FBI Agent Defendants,”), by and through their counsel GREG ADDINGTON, and Plaintiff SCOTT FRIEDMAN, by and through his counsel, MELANIE A. HILL and LISA A. RASMUSSEN, that the deadline for Plaintiff to file a response to the FBI Agent Defendants Motion to Stay Discovery [ECF No. 58] (“the Motion”) be extended to Monday, September 10, 2018.

IT IS FURTHER STIPULATED and AGREED that the deadline for the FBI Agent Defendants and Defendant United States, who filed a joinder to the FBI Agent Defendants Motion, to file a reply in support of the Motion be shall remain due on Tuesday, September 18, 2018.

This Stipulation is executed for the following reasons:

1. AUSA Addington filed a Motion to Dismiss [ECF No. 39] on behalf of the United States *only* on July 26, 2018.
2. AUSA Addington filed a Motion to Dismiss [ECF No. 55] on behalf of the FBI Agent Defendants on August 16, 2018.
3. The parties have agreed to further extend Plaintiff's response to the FBI Agent Defendants' Motion to Stay Discovery that is currently due on Friday, September 7, 2018 to Sunday, September 9, 2018 due to a client issue that with Ms. Rasmussen had in another case.
4. Given that the Motion to Stay raises similar legal arguments that are also raised in the FBI Agent Defendants' Motions to Dismiss with respect to qualified immunity

1 and the sufficiency of Friedman's complaint, Plaintiff is requesting a short extension
2 of the briefing schedule to address the arguments in each response simultaneously.

3 5. The parties propose the following briefing schedule:

4 a. The deadline for Plaintiff to file a response to the Motion to Stay Discovery
5 [ECF No. 58] be extended through the weekend from Friday, September 7,
6 2018 to Monday, September 10, 2018.

7 b. The deadline for the FBI Agent Defendants and Defendant United States,
8 who filed a joinder to the FBI Agent Defendants Motion, to file a reply in
9 support of the Motion shall remain due on September 18, 2018.

10 6. The request for additional time in this Stipulation is made in good faith and not for
11 the purposes of delay.

12 Dated this 7th day of September, 2018.

13 Respectfully submitted by,

14 15 DAYLE ELIESON
16 UNITED STATES ATTORNEY

17 18 By: /s/ Greg Addington
19 GREG ADDINGTON
Assistant U.S. Attorney

20 21 MELANIE HILL LAW PLLC

22 23 By: /s/ Melanie A. Hill
24 MELANIE A. HILL
25 Attorney for Plaintiff Scott Friedman

26 27 28 LAW OFFICE OF LISA RASMUSSEN, P.C.

29 30 By: /s/ Lisa A. Rasmussen
31 LISA A. RASMUSSEN
32 Attorney for Plaintiff Scott Friedman

ORDER

This matter came before the Court on the parties' Stipulation and Order to Extend the Deadline for Plaintiff to Respond to the FBI Agent Defendants' Motion to Stay Discovery [ECF No. 58]. Based on the parties proposed briefing schedule, and finding that the extension request is made in good faith and not for the purposes of undue delay,

IT IS HEREBY ORDERED that the deadline for Plaintiff to file a response to the Motion to Stay Discovery [ECF No. 58] be extended through the weekend from Friday, September 7, 2018 to Monday, September 10, 2018.

IT IS FURTHER ORDERED that the deadline for the FBI Agent Defendants and Defendant United States, who filed a joinder to the FBI Agent Defendants Motion, to file a reply in support of the Motion shall remain due on September 18, 2018.

Dated this 10th day of September, 2018.

Cam Ferenbach
CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE